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FEB 05 1998

AT 8:30 M
 WILLIAM T. WALSH
 CLERK

UNITED STATES DISTRICT COURT
 DISTRICT OF NEW JERSEY

-----X
 WALSH SECURITIES, INC.,

Plaintiff,

v.

CRISTO PROPERTY MANAGEMENT, LTD.,
 A/K/A G.J.L. LIMITED, DEK HOMES OF NEW
 JERSEY, INC., OAKWOOD PROPERTIES,
 INC., NATIONAL HOME FUNDING, INC.,
 CAPITAL ASSETS PROPERTY MANAGEMENT &
 INVESTMENT CO., INC., CAPITAL ASSETS
 PROPERTY MANAGEMENT, L.L.C., WILLIAM
 J. KANE, GARY GRIESER, ROBERT
 SKOWRENSKI, II, RICHARD CALANNI,
 RICHARD DIBENEDETTO, JAMES R. BROWN,
 THOMAS BRODO, RONALD J. PIERSON,
 STANLEY YACKER, ESQ., MICHAEL ALFIERI,
 ESQ., RICHARD PEPSNY, ESQ., ANTHONY M.
 CICALESE, ESQ., LAWRENCE M. CUZZI,
 ANTHONY D'APOLITO, DAP CONSULTING,
 INC., COMMONWEALTH LAND TITLE
 INSURANCE COMPANY, NATIONAL TITLE
 INSURANCE COMPANY OF NEW YORK, INC.,
 FIDELITY NATIONAL TITLE INSURANCE
 COMPANY OF NEW YORK and COASTAL TITLE
 AGENCY,

Defendants.
 -----X

Civil Action No.
 CV 97-3496 (WGB)

Hon. William G. Bassler

Civil Action

ANSWER TO THE CROSS-CLAIM OF
 NATIONAL HOME FUNDING, INC. and
 ROBERT SKOWRENSKI, II,
 AFFIRMATIVE DEFENSES,

Defendant **Anthony M. Cicalese, Esq.**, by and through his
 attorneys **Garrity Graham Favetta & Flinn**, as and for his Answer to
 the Cross-Claim of National Home Funding, Inc. and Robert
 Skowrenski, II, upon information and belief, says:

FIRST COUNT

1. Defendant neither admits nor denies the allegations
 contained in ¶¶1-6, as the allegations set forth therein are not

directed to this defendant. To the extent that any such allegations may be interpreted as being directed to this defendant, they are denied.

COUNT TWO

1. This defendant repeats and incorporates herein by reference his responses to the allegations contained in the First Count of the Cross-Claim as if set forth at length herein.

2. Defendant neither admits nor denies the allegations contained in ¶¶2-4 of the Cross-Claim, as the allegations set forth therein are not directed to this defendant. To the extent that any such allegations may be interpreted as being directed to this defendant, they are denied.

COUNT THREE

1. This defendant repeats and incorporates herein by reference his responses to the allegations contained in Counts One and Two of the Cross-Claim as if set forth at length herein.

2. Defendant neither admits nor denies the allegations contained in ¶¶2-4 of the Cross-Claim, as the allegations set forth therein are not directed to this defendant. To the extent that any such allegations may be interpreted as being directed to this defendant, they are denied.

COUNT FOUR

1. This defendant repeats and incorporates herein by reference his responses to the allegations contained in Counts One through Three of the Cross-Claim as if set forth at length herein.

2. Defendant neither admits nor denies the allegations contained in ¶¶2 and 3 of the Cross-Claim, as the allegations set

forth therein are not directed to this defendant. To the extent that any such allegations may be interpreted as being directed to this defendant, they are denied.

COUNT FIVE

1. This defendant repeats and incorporates herein by reference his responses to the allegations contained in Counts One through Four of the Cross-Claim as if set forth at length herein.

2. Defendant neither admits nor denies the allegations contained in ¶¶2-4 of the Cross-Claim, as the allegations set forth therein are not directed to this defendant. To the extent that any such allegations may be interpreted as being directed to this defendant, they are denied.

COUNT SIX

1. This defendant repeats and incorporates herein by reference his responses to the allegations contained in Counts One through Five of the Cross-Claim as if set forth at length herein.

2. Defendant neither admits nor denies the allegations contained in ¶¶2 and 3 of the Cross-Claim, as the allegations set forth therein are not directed to this defendant. To the extent that any such allegations may be interpreted as being directed to this defendant, they are denied.

COUNT SEVEN

1. This defendant repeats and incorporates herein by reference his responses to the allegations contained in Counts One through Six of the Cross-Claim as if set forth at length herein.

2. Defendant neither admits nor denies the allegations contained in ¶¶2-4 of the Cross-Claim, as the allegations set forth

therein are not directed to this defendant. To the extent that any such allegations may be interpreted as being directed to this defendant, they are denied.

COUNT EIGHT

1. This defendant repeats and incorporates herein by reference his responses to the allegations contained in Counts One through Seven of the Cross-Claim as if set forth at length herein.

2. Defendant neither admits nor denies the allegations contained in ¶¶2 and 3 of the Cross-Claim, as the allegations set forth therein are not directed to this defendant. To the extent that any such allegations may be interpreted as being directed to this defendant, they are denied.

COUNT NINE

1. This defendant repeats and incorporates herein by reference his responses to the allegations contained in Counts One through Eight of the Cross-Claim as if set forth at length herein.

2. Defendant neither admits nor denies the allegations contained in ¶¶2-4 of the Cross-Claim, as the allegations set forth therein are not directed to this defendant. To the extent that any such allegations may be interpreted as being directed to this defendant, they are denied.

COUNT TEN

1. This defendant repeats and incorporates herein by reference his responses to the allegations contained in Counts One through Nine of the Cross-Claim as if set forth at length herein.

2. Defendant neither admits nor denies the allegations contained in ¶¶2 and 3 of the Cross-Claim, as the allegations set

forth therein are not directed to this defendant. To the extent that any such allegations may be interpreted as being directed to this defendant, they are denied.

COUNT ELEVEN

1. This defendant repeats and incorporates herein by reference his responses to the allegations contained in Counts One through Ten of the Cross-Claim as if set forth at length herein.

2. Defendant neither admits nor denies the allegations contained in ¶¶2-4 of the Cross-Claim, as the allegations set forth therein are not directed to this defendant. To the extent that any such allegations may be interpreted as being directed to this defendant, they are denied.

COUNT TWELVE

1. This defendant repeats and incorporates herein by reference his responses to the allegations contained in Counts One through Eleven of the Cross-Claim as if set forth at length herein.

2. Defendant neither admits nor denies the allegations contained in ¶¶2 and 3 of the Cross-Claim, as the allegations set forth therein are not directed to this defendant. To the extent that any such allegations may be interpreted as being directed to this defendant, they are denied.

COUNT THIRTEEN

1. This defendant repeats and incorporates herein by reference his responses to the allegations contained in Counts One through Twelve of the Cross-Claim as if set forth at length herein.

2. Defendant neither admits nor denies the allegations contained in ¶¶2-5 of the Cross-Claim, as the allegations set forth

therein are not directed to this defendant. To the extent that any such allegations may be interpreted as being directed to this defendant, they are denied.

COUNT FOURTEEN

1. This defendant repeats and incorporates herein by reference his responses to the allegations contained in Counts One through Thirteen of the Cross-Claim as if set forth at length herein.

2. Defendant neither admits nor denies the allegations contained in ¶¶2-5 of the Cross-Claim, as the allegations set forth therein are not directed to this defendant. To the extent that any such allegations may be interpreted as being directed to this defendant, they are denied.

COUNT FIFTEEN

1. This defendant repeats and incorporates herein by reference his responses to the allegations contained in Counts One through Fourteen of the Cross-Claim as if set forth at length herein.

2. Defendant neither admits nor denies the allegations contained in ¶¶2-5 of the Cross-Claim, as the allegations set forth therein are not directed to this defendant. To the extent that any such allegations may be interpreted as being directed to this defendant, they are denied.

COUNT SIXTEEN

1. This defendant repeats, and incorporates herein by reference his responses to the allegations contained in Counts One

through Fifteen of the Cross-Claim as if set forth at length herein.

2. This defendant admits the allegations contained in ¶2 of Count Sixteen of the Cross-Claim.

3. This defendant denies the allegations contained in ¶3 of Count Sixteen of the Cross-Claim.

4. This defendant denies the allegations contained in ¶4 of Count Sixteen of the Cross-Claim.

5. This defendant denies the allegations contained in ¶5 of Count Sixteen of the Cross-Claim.

COUNT SEVENTEEN

1. This defendant repeats, and incorporates herein by reference his responses to the allegations contained in Counts One through Sixteen of the Cross-Claim as if set forth at length herein.

2. Defendant neither admits nor denies the allegations contained in ¶¶2-6 of the Cross-Claim, as the allegations set forth therein are not directed to this defendant. To the extent that any such allegations may be interpreted as being directed to this defendant, they are denied.

COUNT EIGHTEEN

1. This defendant repeats, and incorporates herein by reference his responses to the allegations contained in Counts One through Seventeen of the Cross-Claim as if set forth at length herein.

2. Defendant neither admits nor denies the allegations contained in ¶¶2-6 of the Cross-Claim, as the allegations set forth

therein are not directed to this defendant. To the extent that any such allegations may be interpreted as being directed to this defendant, they are denied.

AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE

The Cross-Claim fails to state a cause of action against this defendant upon which relief may be granted.

SECOND AFFIRMATIVE DEFENSE

Cross-claimants' claims are barred by the Statute of Limitations.

THIRD AFFIRMATIVE DEFENSE

This defendant owed no duty to cross-claimants.

FOURTH AFFIRMATIVE DEFENSE

This defendant breached no duty to cross-claimants.

FIFTH AFFIRMATIVE DEFENSE

Cross-claimants suffered no damages.

SIXTH AFFIRMATIVE DEFENSE

No act or omission by this defendant proximately caused any of the losses or damages alleged.

SEVENTH AFFIRMATIVE DEFENSE

Cross-claimants' claims are barred by the Doctrine of Laches.

EIGHTH AFFIRMATIVE DEFENSE

Cross-claimants' claims are barred by the Doctrine of Estoppel.

NINTH AFFIRMATIVE DEFENSE

Cross-claimants' claims are barred by the Doctrine of Waiver.

TENTH AFFIRMATIVE DEFENSE

Cross-claimants' claims are barred by the Doctrine of Collateral Estoppel.

ELEVENTH AFFIRMATIVE DEFENSE

Cross-claimants' claims are barred by the Doctrine of **res judicata**.

TWELFTH AFFIRMATIVE DEFENSE

Cross-claimants' claims are barred by the Doctrine of Judicial Estoppel.

THIRTEENTH AFFIRMATIVE DEFENSE

Cross-claimants' claims are barred by the Doctrine of Unclean Hands.

GARRITY GRAHAM FAVETTA & FLINN
Attorneys for Defendant
Anthony M. Cicalese, Esq.

Dated: 2/2/98

By: Thomas D. Flinn
THOMAS D. FLINN